Application No. 09/875,996   Attorney Docket No. 032927-007
Amendment filed July 27, 2004   Page 6 of 10
Reply to Office Action dated February 27, 2004

Remarks

Claims 1, 2, 4-9, and 11-17 are pending, with claims 1, 8, and 15 being in independent form. By the present amendment, claims 1 and 8 have been amended, and claims 3 and 10 have been canceled without prejudice or disclaimer.

In the Office Action, claims 1-3, 5, 6, 8-10, 12, 13, 15, and 16 stand rejected for anticipation by U.S. Patent No. 5,694,451 to Arinell ("Arinell"). Claims 4, 11, and 17, stand rejected for obviousness over Arinell in view of U.S. Patent No. 6,393,274 to Peltonen ("Peltonen") and claims 7 and 14 to Arinell in view of U.S. Patent No. 6,539,499 to Stedman et al. ('Stedman").

Claim 1 defines a method of providing support to a mobile communications unit comprising the steps of generating a support request at said mobile unit, sending a support message to a remote support location on the basis of said support request, said support message relating to one or more problems, receiving said support message at said remote support location, generating support information enabling solving of said one or more problems at least partially, and providing said support information at said mobile unit <u>by sending a message containing update and/or support information enabling the mobile unit to perform an automatic update of the settings thereby correcting said one or more problems</u>.

To support a rejection under 35 U.S.C. § 102, each and every feature of the claimed invention must be shown in a single prior art document. Moreover, to establish a <u>prima facie</u> case of obviousness, the cited documents must teach or suggest all of the claim limitations. As discussed below, each of the claims positively recite limitations that are neither disclosed, nor suggested in the cited documents and are therefore not anticipated by, nor obvious in view of the cited documents.

Arinell discloses an arrangement and a method of terminal-oriented performance monitoring in a communications network that has a public (landline) side and a mobile subscriber side with terminals (see Abstract). Information regarding network performance is collected by or in connection with subscriber terminals and transferred to the public side (see col. 2, II. 4 - 7). The information may include grade of service, information on error conditions and information on quality of the transmission channel (see col. 2, II. 50 - 67), non-connection

Application No. 09/875,996   Attorney Docket No. 032927-007
Amendment filed July 27, 2004   Page 7 of 10
Reply to Office Action dated February 27, 2004

information and selected activities of the terminals such as how long the terminal is activated, which switching actions are carried out and how much work is being carried out by the error-correcting decoder (col. 3, ll. 1 -6). In this way, the operator of the network obtains information regarding the performance of the network from the point of view of the customers and can expand the network as and when required (see col. 2, ll. 42 - 49 and col. 3, ll. 21 - 26).

Arinell is directed to monitoring the performance of a network as experienced by a (relatively large) number of customers and not at providing support directly to an individual mobile communications unit by obtaining relevant information from the unit in question and providing the specific unit with information that at least partly solves a problem of the unit.

The Examiner relies on Arinell's statement that "[i]f individual subscribers are experiencing an unusually large number of problems, then such subscriber or the terminal owner will be able to obtain from the network operator information concerning such problems and can also obtain help to correct the problems" (col. 3, ll. 33 - 37). This passage simply states that if a number of subscribers of the network are experiencing a large number of [network] problems, then the subscriber or terminal owner can receive information regarding these problems from the network owner and can also obtain help to correct the problems. Arinell, however, does not specify in what form this help is offered. For example, it is common for customers to manually call help lines to find solutions to problems. It is also common for customers to manually search help websites to find solutions to problems.

Nowhere does Arinell disclose sending a message containing update and/or support information enabling the mobile unit to perform an automatic update of the settings thereby correcting said one or more problems, as defined in claim 1. Arinell does not disclose sending any message to a specific terminal unit, where the message comprises information to correct the problem, because Arinell does not disclose how the terminal owner can go about obtaining help to correct problems, but merely states that the owner can obtain help. Figure 1 and the related description (col. 3, ll. 41 - 49) relates to how information of network performance information is

Application No. 09/875,996   Attorney Docket No. 032927-007
Amendment filed July 27, 2004   Page 8 of 10
Reply to Office Action dated February 27, 2004

collected and sent to a remote site, which comprises data gathering from a large number of devices to monitor the performance of the network.

Thus, Arinell does not disclose or suggest sending a support message from a mobile communications unit to a remote support location, where support information is provided to the mobile communications unit by sending a message containing update and/or support information enabling the mobile unit to perform an automatic update of the settings thereby correcting the problems. In this way, problems of a mobile communications unit may be addressed without requiring a user to describe in his or her own words (usually non-technical) the problem and to have to provide any relevant parameters to a specialist and without the user having to receive instructions and implement them himself/herself, which may be difficult for non-technical users to understand and do.

Claims 8 and 15 are also distinguishable for at least similar reasons.

In addition, Steadman and/or Peltonen does not cure these deficiencies. Steadman discloses a method and system for providing diagnostic services for a computer system. A diagnostic application presents to a user a graphical representation of a computer system (see e.g. abstract; col. 2, ll. 26 - 29; Figure 2). The diagnostic application performs diagnostic services on a particular component of the computer system as selected by being clicked by the user (see abstract). The application may also permit the user to access online diagnostic services permitting the user to access the most recent version of a software driver, communicate with a service specialist, or receive additional diagnostic tools from a remote location (see abstract). As described at col. 6, ll. 22 - 39 and illustrated in Figure 3, the service specialist provides the user with written advice (col. 6, ll. 22 - 24; step 308 in Figure 3), which is transmitted to the user and is displayed to the user or forwarded to the user's electronic mail inbox (col. 6, ll. 27 - 30). The user and service specialist may continue to exchange written comments and questions until the user resolves the problem with the assistance of the service specialist (col. 6, ll. 30 - 33). This is merely a written (and slower) form of the more ordinary oral support (which is listed as an alternative col. 6, ll. 36 - 39) where a user talks with the service specialist. The user still has to explain the problem (in writing or orally) and relevant parameters,

etc. to the specialist and still has to receive advice/instructions where the user still has to implement the instructions.

The combination of Arinell and Steadman does not teach or even suggest the subject matter of the claims at least because there is no message that contains update information enabling the unit to automatically solve the problem. Moreover, Steadman is not concerned with support for mobile communications units but rather for computer systems.

Peltonen is not directed to support, diagnostics, or solving technical problems of equipment. Peltonen is instead directed at a wireless communications system having a particular type of service, namely Advanced Personal Service or APS. Peltonen mentions that the network operator can provide information as to which APS functions it supports by providing a public note table which can be checked in SMS form and then responded to with a request to the network to download a particular APS menu (col. 7, ll. 64 - 65; col. 7, l. 67 - col. 8 l. 2). Peltonen does not disclose a message that contains update information enabling a communications unit to automatically solve a technical problem.

The combination of Arinell and Peltonen also does not teach or suggest the subject matter of the claims at least because there is no message that contains update information enabling the unit to automatic solve the problem.

Accordingly, since the cited documents, alone or in combination, fail to disclose or suggest all of the claim limitations for at least the above reasons, both the anticipation and the obviousness rejections of the pending claims should be withdrawn.

Application No. 09/875,996   Attorney Docket No. 032927-007
Amendment filed July 27, 2004   Page 10 of 10
Reply to Office Action dated February 27, 2004

For the foregoing reasons, Applicants consider the application to be in
condition for allowance and respectfully request notice thereof at an early date. The
Examiner is encouraged to telephone the undersigned at the below-listed number if,
in the Examiner's opinion, such a call would aid in the examination of this
application.

Respectfully submitted,
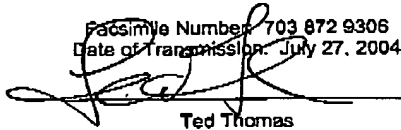
BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By _____
Theodosios Thomas
Registration No. 45,159

P.O. Box 1404
Alexandria, Virginia 22313-1404
(919) 941-9240

Date: _July 27, 2004_

I hereby certify that this correspondence is being sent by facsimile transmission to
the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 to the following
facsimile number:

Facsimile Number: 703 872 9306
Date of Transmission: July 27, 2004

Ted Thomas